

2004  
DIST. OF MASS.

2-27-04  
108

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

2004 FEB 26 P 5:12

UNITED STATES OF AMERICA

v.

JERMAL BUTLER

:  
:  
: CRIMINAL ACTION  
:  
: NO. 03-1764-CBS  
:

ASSENTED TO MOTION TO CONTINUE STATUS CONFERENCE

Comes now the United States of America, by Michael J. Sullivan, United States Attorney, and Theodore B. Heinrich, Assistant United States Attorney for the District of Massachusetts, and files this Motion To Continue as follows:

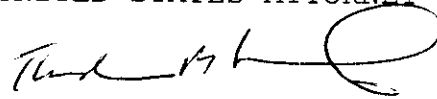
The Court has scheduled a status conference for February 27, 2004 in this matter. Counsel have conferred and can report to the Court that they have completed, executed, and mailed to the United States Attorney for the Northern District of New York the court pleadings necessary to transfer this case from the Northern District of New York to the District of Massachusetts pursuant to Rule 20 of the Federal Rules of Criminal Procedure. Counsel are waiting for the clerk's office in that district to mail the file to the clerk's office in this district. The undersigned left email and telephone messages for the responsible Assistant U.S. Attorney in the Northern District of New York earlier in the week. This afternoon, the undersigned spoke to the AUSA by telephone and he confirmed that the paperwork was being filed today. Wherefore, the parties believe that a status conference is unnecessary at this

point and request that it be continued until March 19 or later, as counsel for the government will be out of the district from March 5-15 and counsel for the defendant will be out of the district ending March 19. The parties believe the matter will have been properly transferred and assigned to a District Court judge by that time.

For all the foregoing reasons, the Motion To Continue should be granted.

Respectfully submitted,

MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read 'Theodore B. Heinrich', written over a horizontal line.

THEODORE B. HEINRICH  
ASSISTANT UNITED STATES ATTORNEY

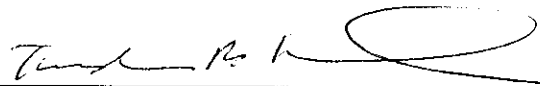
United States Courthouse  
Suite 9200  
1 Courthouse Way  
Boston, MA 02210  
617/748-3245

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Leo Sorokin, Esq.  
Federal Public Defender's Office  
408 Atlantic Avenue  
Boston, MA 02110

This 26<sup>th</sup> day of February, 2004.

A handwritten signature in black ink, appearing to read "Theodore B. Heinrich", is written over a horizontal line.

THEODORE B. HEINRICH  
ASSISTANT UNITED STATES ATTORNEY